

Attorney Docket No. 08051-445



*Loc for 8*  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Moyer et al.  
Serial No. 09/912,072  
Filed: July 24, 2001  
For: IDENTIFICATION OF POINSETTIA CULTIVARS

Date: November 7, 2001

BOX MISSING PARTS  
Commissioner for Patents  
Washington, DC 20231

SUBMITTAL OF DECLARATION  
UNDER 37 C.F.R. § 1.63

COPY OF PAPERS  
ORIGINALLY FILED

Sir:

In response to the Notice to File Missing Parts dated September 27, 2001, enclosed is a Declaration and Power of Attorney for the above identified application which has been executed by the named inventors.

A check in the amount of \$2610.00 is also enclosed to cover additional claim fees and the surcharge under 37 C.F.R. § 1.16(e). Any additional fee or credit may be charged to our Deposit Account No. 50-0220.

Respectfully submitted,

*Karen Magri*  
Karen A. Magri  
Registration No. 41,965

Customer Number:



20792

PATENT TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on November 7, 2001.

*Traci A. Brown*  
Traci A. Brown  
Date of Signature: November 7, 2001

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735  
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*O I P E*  
JAN 23 2002  
TRADEMARKS  
SERIALS

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

Attorney Docket No. 5051-445

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **IDENTIFICATION OF POINSETTIA CULTIVARS**

the specification of which

is attached hereto

OR

was filed on **July 24, 2001** as U.S. Serial Application No: 09/912,072.

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I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

60/220,854	July 26, 2000
Application Number(s)	Filing Date (MM/DD/YYYY)
60/252,206	November 21, 2000
Application Number(s)	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application (37 C.F.R. § 1.63(d)).

Appln. Serial No.	Filing Date	Status
		Patented/Pending/Abandoned
Appln. Serial No.	Filing Date	Status
		Patented/Pending/Abandoned
Appln. Serial No.	Filing Date	Status
		Patented/Pending/Abandoned

✓ I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following registered attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. I also appoint the following registered attorney(s) to represent me before all competent International Authorities in connection with any and all international applications filed by me with an appropriate receiving office claiming priority to the U.S. application. I also appoint the following registered attorney(s) to make or receive payment on my behalf in connection with the filing of such international applications.

**Customer Number**



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PATENT TRADEMARK OFFICE

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